

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
Southern Division**

LAMONT HEARD, WILLIAM JOHNSON
JAMERO MOSES, and ANTHONY NELSON,

Plaintiffs,
V.
TOM FINCO, et al.,

Case No. 1:13—CV—373
HON. GORDON J. QUIST

Defendants.

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Proposed Voir Dire Questions for Plaintiffs

1. Make sure we have background information on them—occupation.
2. Have you served as a juror before?
 - a. Criminal or civil
 - b. How long ago (yrs)
 - c. Did you reach a verdict? (do not disclose what the verdict was)
 - d. Is there anything from that experience that would impact your ability to be a fair and impartial juror in this matter?
3. Have you ever been a party of a lawsuit?
 - a. Plaintiff
 - b. Defendant
 - i. If you were a party was the outcome favorable to you?
 - c. Is there anything from that experience that would impact your ability to be a fair and impartial juror in this matter.
 - d. Witness
4. Have you ever been a witness in a lawsuit?
 - a. How long ago?
 - b. Is there anything from that experience that would impact your ability to be a fair and impartial juror in this matter.

5. Do you have any close friends or family members who are in law enforcement?
 - a. Follow up about specifics
 - b. Do they share stories with you?
 - i. What type of stories?
 - c. Is there anything that would impact your ability to be a fair and impartial juror in this matter?
6. Have you had an experience with law enforcement?
 - a. Negative
 - b. Positive
 - i. Why for either answer
 - c. Is there anything from that experience that would impact your ability to be a fair and impartial juror in this matter?
7. Do you have any close friends or family members who have been a victim of a crime?
 - a. Details
 - b. Is there anything from that experience that would impact your ability to be a fair and impartial juror in this matter?
8. Does anyone here have a religion that mandates that you may not pass judgement onto other individuals?
9. Can you accept the principle that a prisoner retains certain constitutional and statutory rights while in prison, such as First Amendment Rights and the right to practice one's religion?
10. Do you agree that prisoners have the right to practice their religion while in prison?
 - a. Follow up if need be
11. The Plaintiffs are suing the MDOC for failing to accommodate their religion, if you find that the Plaintiff's rights were violated, could you return a verdict in his favor even though they are prisoners?
 - a. Does anyone believe that these cases are a waste of time or resources?
 - b. Does it bother anyone that these cases can be heard in Court?
 - c. Depending on the answer: would this impact your ability to be a fair and impartial juror in this case?

12. Plaintiffs are suing prison officials, will you give prison staff's testimony more weight simply because they are in law enforcement over the plaintiffs who are prisoners?
 - a. Why?
 - b. Would this impact your ability to be a fair and impartial juror in this matter?
13. The court will instruct you that prisoners and prison officials are to be treated as equal before the law. Can you follow that instruction? Or will you give prison officials testimony more weight for that simple reason?
14. We have four African-American prisoners who are suing two white prison staff, will you automatically give more credit to the testimony of these white prison staff because of the color of their skin?
15. The four Plaintiffs are Islamic. Do you have a negative view of the Islamic Religion?
 - a. What is this view (if negative)
 - b. Will this view impact your ability to be a fair and impartial juror?
16. Do you accept that Islam is a religion?
 - a. Do you believe that Islam should be accepted and honored the same manner as other religions?
 - b. If no, why not?
17. Do you believe that all Muslims are terrorists or trying to do harm to America?
 - a. Will this view impact your ability to be a fair and impartial juror?
18. I know you do not know much about this case yet, but is there anything that the Court has read to you about this case that makes you feel that you will not be able to be a fair and impartial juror?
19. At the end of the case, the judge will instruct you on the law that applies on this case. If you do not agree with any of his instructions, will you still be able to follow the law and make a decision based on the law as he read it and the facts in this case?
20. What is your main news source?

- a. What television stations do you watch for the news?
 - i. What is the name of that news program or what person do you listen to regularly?
- b. What radio stations do you listen to for the news?
 - i. What is the name of that news program or what person do you listen to regularly?
- c. What talk show on the TV or radio do you listen to regularly?
 - i. What is the name of talk show program or host do you listen to regularly?

Respectfully submitted:

/s/Daniel E. Manville
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CERTIFICATE OF SERVICE

I certify that on September 19, 2018, the foregoing document was served on Defendants' counsel of record by ECF.

/s/Daniel E. Manville
Daniel E. Manville (P39731)